

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ANDREW SEVEY, ) No. C 10-3677 LHK (PR)  
Plaintiff, )  
v. ) ORDER DENYING  
SOLIZ, et al., ) PLAINTIFF'S MOTIONS TO  
Defendants. ) COMPEL DISCOVERY

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Plaintiff, a state prisoner, filed the instant *pro se* prisoner complaint under 42 U.S.C. § 1983. Before the Court are Plaintiff's motions to compel discovery.

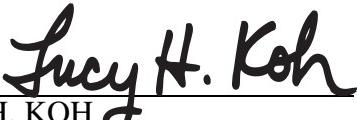
Plaintiff may file a motion to compel discovery, however, only after he satisfies the “meet and confer” requirements of the discovery rules. *See* Fed. R. Civ. P. 37(a)(2)(A) (providing that a motion to compel must include certification that movant has in good faith conferred and attempted to confer with non-disclosing party in effort to secure disclosure without court action); N.D. Cal. Civ. R. 37-1 (same). Because Plaintiff is detained, however, he is not required to meet and confer with Defendants in person. Rather, if his discovery requests are denied, and he intends to seek a motion to compel, he must send a letter to Defendants to that effect, offering them one last opportunity to provide him with the sought-after information. On February 14, 2011, Plaintiff filed two motions to compel discovery. Although summons have been issued, to date, Defendants have not yet been served. At this time, the motions to compel

1 will be DENIED without prejudice as premature.

2 This order terminates docket nos. 21 and 22.

3 IT IS SO ORDERED.

4 DATED: 3/3/11

  
5 LUCY H. KOH  
United States District Judge

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